

REMARKS/ARGUMENTS

Favorable reconsideration of this application, in light of the present amendments and following discussion, is respectfully requested.

Claims 1-3 and 5-47 are pending. By this amendment Claims 4, 48 and 49 are canceled and Claims 1-3, 5-23, 25 and 35-47 are amended. Claims 26-34 have been withdrawn. No new matter is added.

In the outstanding Office Action, Claims 1-17 and 35 were rejected under 35 U.S.C. § 112, second paragraph. Claim 1 is amended to obviate this rejection.

The Office Action rejects Claims 1-25 and 35-49 under 35 U.S.C. § 103(a) over U.S.P. 6,234,522 to Peterson et al. in view of Greene's Production and Inventory Control Handbook and Dobler's Purchasing and Supply Management in view of U.S.P. 5,374,813 to Shipp. These rejections are respectfully traversed.

None of the applied references relate to the replacement of detectors in X-ray CT apparatus or the replacement of magnetic field coils in an MRI apparatus. For example, assuming that hospital A owns CT apparatus A (four slice multi-slice detector), and hospital B owns CT apparatus B (eight slice multi-slice detector); (1) the manufacturer receives a request from hospital A, through the network, to upgrade the CT apparatus A to an eight slice multi-slice detector. Further, the manufacturer receives a request from hospital B, through the network, to upgrade the CT apparatus to a sixteen slice multi-slice detector; (2) the manufacturer delivers CT apparatus A and B from hospitals A and B to the factory; (3) the manufacturer performs maintenance in the factory on CT apparatus A and B. The four slice multi-slice detector is removed from CT apparatus A and the eight slice multi-slice detector is removed from CT apparatus B. Then, a second hand unit (an eight slice multi-slice detector) is installed in CT apparatus A. A new unit (a sixteen slice multi-slice detector) or a sixteen slice multi-slice detector of CT apparatus C, delivered from another hospital, is installed in

CT apparatus B. In other words, CT apparatus A and B are refurbished; (4) after CT apparatus A and B are refurbished, the manufacturer delivers CT apparatus A and B to hospitals A and B and installs the respective apparatus in the hospitals.

Applicants traverse the Examiner's assertion in paragraph 12 of the Office Action that the recitation of a CT apparatus or MRI apparatus is descriptive material that would not distinguish the claimed invention over the applied art. M.P.E.P. § 2106(IV)(B)(1)(b) describes descriptive material such as music, literature, art, photographs, and mere arrangements or copulations of facts or data. CT apparatus or MRI apparatus do not fall into this category, and instead constitute structure that must be taken into account.

Furthermore, Peterson relates to parts or child components which are not currently in use or part of a second apparatus but may be used in a second apparatus. Peterson does not relate to second units presently forming a part of a second apparatus or second medical equipment.

Consequently, in view of the foregoing discussion and amendments, it is respectfully submitted that this application is in condition for allowance. An early and favorable action is therefore respectfully requested.

Respectfully submitted,

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